

1 KATHLEEN A. LEAVITT  
CHAPTER 13 BANKRUPTCY TRUSTEE  
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5 **UNITED STATES BANKRUPTCY COURT**  
6 **DISTRICT OF NEVADA**

7 IN RE:  
PERLA MARIA MEREZKO

8 Debtor(s)

CASE NO: BKS-19-17398-BTB

9 CHAPTER 13

Hearing Date: January 16, 2020

Hearing Time: 1:30 pm

10 PRICE LAW GROUP APC  
Attorney for the Debtor

11 **TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN**  
12 **#1 COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

13 Comes now KATHLEEN A. LEAVITT, Chapter 13 Bankruptcy Trustee, in the above captioned  
14 bankruptcy case and hereby alleges as follows:

15 **Statement of Facts**

16 The Debtor(s) filed for Chapter 13 relief on 11/18/2019. The Section 341(a) Meeting of Creditors held on  
17 December 10, 2019 at 2:00 pm was concluded .

18 **Argument**

19 The Trustee objects to confirmation of the Chapter 13 Plan and recommends that this case be dismissed  
20 pursuant to 11 U.S.C. §1307(c) for one or more of the following reasons:

21  
22  
23 The Plan fails to provide for all of the Debtor(s)' disposable income pursuant to 11 U.S.C. §1325(a)(3)  
24 and (b) based on:

- 1 • Schedule I #5c voluntary contribution for retirement plan \$364.87
- 2 • Not all disposable income is being committed to the Chapter 13 Plan as Debtor(s) disposable
- 3 income on Schedule J is higher than the proposed Chapter 13 Plan payment.
- 4 • The plan fails to provide for all of the Debtor(s)' disposable income as calculated on form
- 5 B122C-2 Chapter 13 Calculation of Your Disposable Income, pursuant to 11 U.S.C. §1325(b).

6 Debtor(s) failed to cooperate with the Trustee as necessary to enable the Trustee to perform her duties  
7 pursuant to 11 U.S.C. §521(a)(3), §704 and/or §1302. This failure to cooperate has caused unreasonable  
8 delay that is prejudicial to creditors under 11 U.S.C. §1307(c)(1) as the Debtor(s) did not provide the  
9 following documents and/or amendments:

- 10 • Bank Statement(s) for the following period(s): Wells Fargo savings; 5/18/19 - 11/18/19 (date  
11 of filing).

**Conclusion**

12 WHEREFORE, for the foregoing reasons, the Trustee objects to confirmation and recommends that this case  
13 be dismissed pursuant to 11 U.S.C. §1307(c).

14 Dated: 12/12/19

/s/ Kathleen A. Leavitt  
15 Kathleen A. Leavitt  
16 Chapter 13 Trustee  
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1 KATHLEEN A. LEAVITT  
2 CHAPTER 13 STANDING TRUSTEE  
3 711 S 4Th Street  
Suite 101  
Las Vegas, NV 89101

4 **UNITED STATES BANKRUPTCY COURT**  
5 **DISTRICT OF NEVADA**

6 **IN RE:**  
7 **PERLA MARIA MEREZKO**

**CASE NO: BKS-19-17398-BTB**  
**Chapter 13**

9 **Debtor (s)**

10 **CERTIFICATE OF SERVICE**

- 11 1. On December 12, 2019, I served the following document(s):

12 **TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1 COMBINED WITH**  
**TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

- 13 2. I served the above-named documents(s) by the following means to the persons

14 as listed below:

15 **United States mail, postage fully prepaid**

16 PERLA MARIA MEREZKO  
17 7813 RIVIERA BEACH DRIVE  
LAS VEGAS, NV 89128

PRICE LAW GROUP APC  
5940 S RAINBOW BLVD  
SUITE 3014  
LAS VEGAS, NV 89118

19 **I declare under penalty of perjury that the foregoing is true and correct.**

20 Signed on: 12/12/19

/s/ Esther Carr

Employee of

Kathleen A. Leavitt

Chapter 13 Standing Trustee